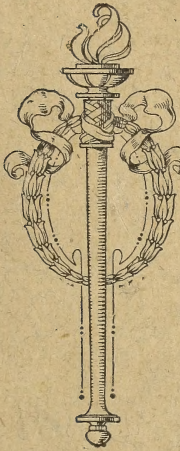
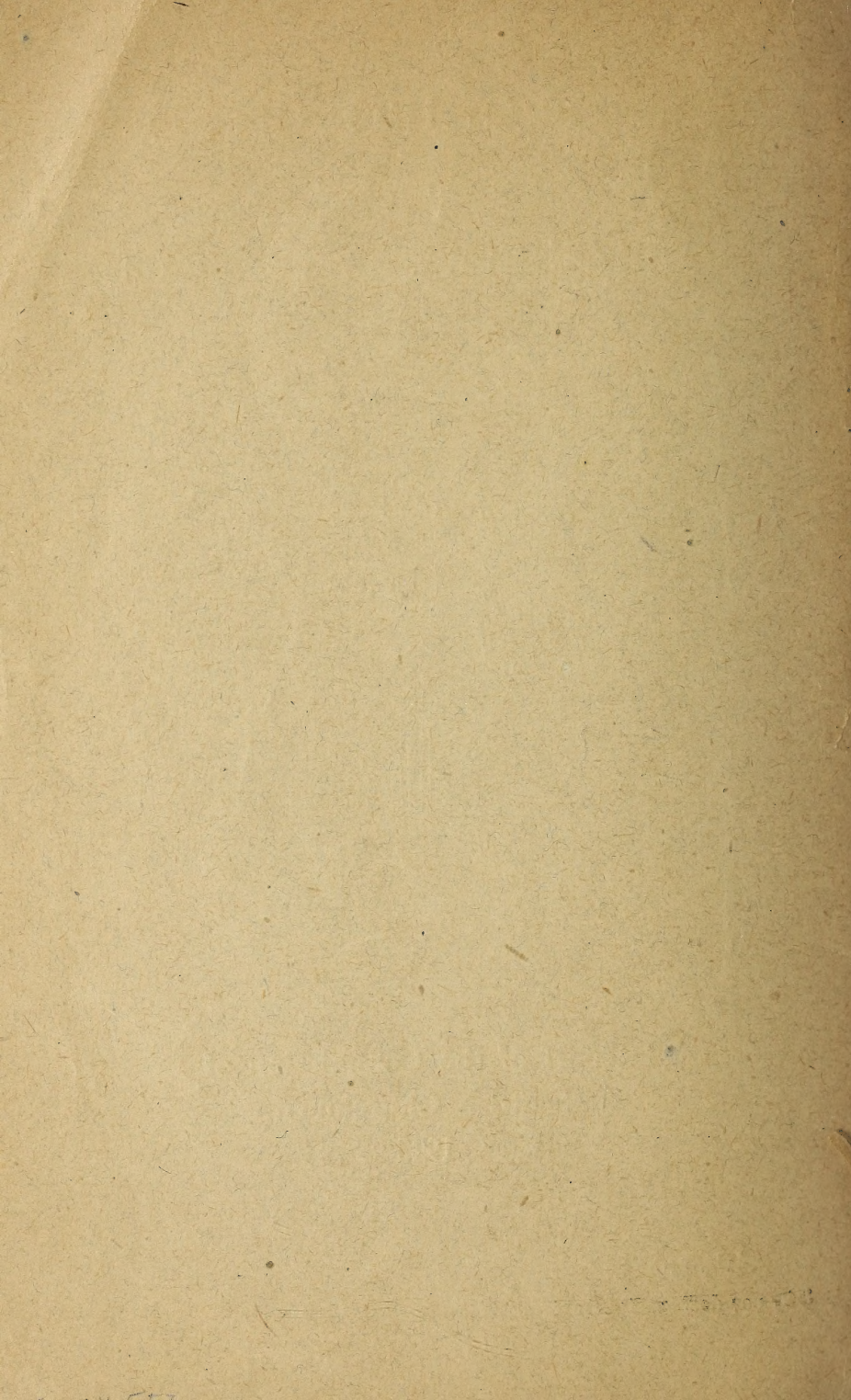


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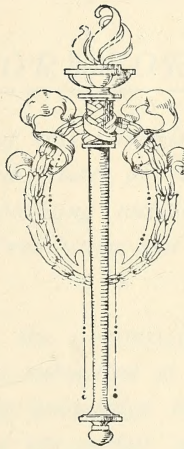
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# Committee of Scottish Churchmen investigating the Working of Prohibition.

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## *Joint Chairmen.*

The Right Hon. LORD POLWARTH, C.B.E., ~~Edinburgh.~~

Sir DAVID PAULIN, F.F.A., F.R.S.E., ~~Edinburgh.~~

## *Hon. Treasurer.*

Mr. W. H. MILL, J.P., S.S.C., ~~58 Castle Street, Edinburgh.~~

## *Hon. Secretary.*

Mr. RODERICK MANSON, ~~69 Merchiston Crescent, Edinburgh.~~

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## FOREWORD.

*At the invitation of this Committee, four Commissioners proceeded to the United States of America and to Canada for the purpose of obtaining authentic and impartial information regarding Prohibition and other liquor legislation in these countries.*

*Since their return the Commissioners have prepared a Report, which has been submitted at a Meeting of the Committee to-day. In the knowledge that there is at present wide-spread interest in the subject, and that the publication of the Report has been eagerly awaited by many, the Committee have much pleasure in issuing it for the serious consideration of the Members of the Scottish Churches and the general public.*

POLWARTH,  
DAVID PAULIN, } *Joint Chairmen.*

EDINBURGH, *October 19th, 1923.*



### Commissioners Appointed.

*Rev. John Malcolm Munro, M.A., West St. Giles Parish Church, Edinburgh.*

*Rev. Joseph Johnston, M.A., Palmerston Place United Free Church, Edinburgh.*

*Mr. Robert Gibson, M.A., LL.B., B.Sc., Advocate, Edinburgh.*

*Mr. William Pringle Livingstone, Editor and Author, Edinburgh.*

*With*

*Mr. Roderick Manson, the Committee's Hon. Secretary.*

### Remit to Commission.

*To investigate the origin, nature, and working of Prohibition and other Liquor Legislation in the United States of America and Canada; to collect reliable data regarding their effect on Health, Business, Industrial and Agricultural Efficiency, Finance, Savings Banks, Insurance, Amusements, Convictions for Crime and Statutory Offences, and on Domestic, Social, and other Conditions; to form an estimate of the position and the prospects of enforcing the legislation regarding liquor, and of the amount of law-breaking and evasion, and their effect on the national character: to consider the bearing of American and Canadian experience on the present position in Scotland, with special reference to the Temperance (Scotland) Act, 1913.*

Commission of Scottish Churchmen to the  
United States and Canada.

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REPORT.

*To the Chairmen and Committee of  
Scottish Churchmen investigating  
the Working of Prohibition.*

MY LORD AND GENTLEMEN,

You were pleased to invite us to undertake a mission to the United States and Canada with the object of investigating the working of Prohibition and other liquor legislation in these countries. We accepted the commission on the condition that we should be free to present whatever conclusions our unbiassed study of the situation led us to formulate.

The remit from the Committee was in the following terms:—

To investigate the origin, nature, and working of Prohibition and other liquor legislation in the United States of America and Canada; to collect reliable data regarding their effect on Health, Business, Industrial and Agricultural Efficiency, Finance, Savings Banks, Insurance, Amusements, Convictions for Crime and Statutory Offences, and on Domestic, Social, and other conditions; to form an estimate of the position and the prospects of enforcing the legislation regarding liquor, and the amount of law-breaking and evasion, and their effect on the national character; to consider the bearing of American and Canadian experience on the present position in Scotland, with special reference to the Temperance (Scotland) Act, 1913.

We now respectfully submit our Report and the considered opinions we have formed.

After a careful survey of the extent and character of the



ground to be covered, the Commissioners planned an itinerary which would embrace what appeared to them to be the most important centres and strategic points, and made arrangements to confer at the places to be visited, with the Federal, State, and civic officials, groups representing industry, commerce and labour, leaders of the Prohibition and Anti-Prohibition parties, and men and women representative of every class in the community. In addition, questionnaires were prepared and sent out to professional and business men in every State with the view of eliciting authoritative facts and figures, and of gauging local opinion on various phases of Prohibition.

In the course of their investigations the Commissioners visited New York, Portland (Maine), Boston, Philadelphia, Baltimore, Washington, Chicago, Detroit, Louisville, Kansas City (Missouri), Lawrence (Kansas State), Denver, Salt Lake City, Los Angeles, San Francisco, Seattle, Vancouver, Banff, Calgary, Winnipeg, Toronto, Windsor, Ottawa, and Montreal. In order to extend the scope of their enquiry in both rural and urban areas, the Commissioners found it expedient at certain points to divide their forces.

As the situation in the United States differs essentially from the conditions obtaining in Canada, it is necessary to report on the two countries separately.

## THE UNITED STATES.

### How Prohibition Came.

The Prohibition movement in the United States has had a long and chequered history, extending over a century of strenuous social and political agitation. In order to understand the position to-day, the conditions, out of which it has grown, must be taken into account. National Prohibition was the culmination of State Prohibition, and State Prohibition was the outcome of Local Option. Under the old licensing systems many evils existed. The drinking saloon or public-house became the resort of the political "boss" and his associates, while it fostered the



custom of "treating," which came to be regarded as socially hurtful and economically wasteful. Good citizens who were desirous of reform were driven to seek a remedy for this state of things, and agitated until they secured Local Option, which gave the people in townships, villages, residential districts and counties the opportunity to eliminate the saloon on a majority vote of the electors. Many areas voted "No Licence" and provided a contrast between conditions in "wet" and "dry" localities. The situation changed from time to time in the various States. Action was followed by reaction. "Wet" areas went "dry," and "dry" areas reverted to "wet" conditions, but these oscillations of the pendulum served to educate the public mind, and on the whole there was a steady increase in the extent of "dry" territory.

Practically all the States had passed regulatory liquor laws previous to 1856, but legal and other difficulties made most of them ineffective. More efficient organisation, however, increasing support from the churches, the introduction of temperance teaching into the schools, and especially the enactment and operation of the Local Option laws, continued to have their effect. By 1893 six States were definitely Prohibition States, while others had passed more or less stringent regulatory laws. In the State elections Prohibition became increasingly a major issue, and by 1920 thirty-three out of forty-eight States had already adopted Prohibition. A conservative estimate shows that before National Prohibition came into force, over 95 per cent. of the United States territory, with over 68 per cent. of the population, was then under "No Licence." It seemed to be only a matter of time before the entire nation would go "dry."

### **The Eighteenth Amendment to the American Constitution.**

War Prohibition was a special emergency measure, but the Congress which legislated on the question of National Prohibition was elected five months before the United

States entered the War. The chief issue at this election was Prohibition, and the candidates who were returned received a mandate from the people to pass a nation-wide enactment. This was done in the form of an Amendment to the Constitution, which reads as follows :—

- (1) After one year from the ratification of this article, the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from, the United States, and all territory subject to the jurisdiction thereof, for beverage purposes, is hereby prohibited.
- (2) The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.
- (3) This article shall be inoperative unless it shall have been ratified as an Amendment to the Constitution by the Legislatures of the several States, as provided by the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

It may be desirable to explain that each State has a Legislature consisting of a House of Representatives and a Senate which pass laws affecting the State. Federal laws, binding the whole of the United States, are passed at Washington by the Congress, which again is a two-chamber body with a House of Representatives and a Senate. Laws passed, either by the Congress or by a State, must not violate the "Constitution," which is the body of the laws forming the basis of union of the States. A Federal law, which is in harmony with the Constitution, is passed by the Congress as a matter of routine. On the other hand, should the Congress wish to pass a Federal law at variance with the Constitution, it cannot do so alone, but must act in co-operation with the Legislatures of the States to amend the Constitution. National Prohibition involved a law of the latter type and necessitated an Amendment of the Constitution.



Such an Amendment could only be secured by a two-thirds vote of each of the two branches of the Congress, and on the additional condition that it should be ratified by each of the two Houses of the Legislatures in three-fourths of the States. This severe test was successfully passed in little more than a year, the Amendment being endorsed by forty-six out of the forty-eight States in the Union. When ratification was proceeding an army of soldiers was overseas, but it is to be noted that, on their return, wherever a vote was taken, the majorities for ratification were substantially increased. The Eighteenth Amendment, therefore, registers the deliberate judgment and will of the vast body of the American people. No Amendment to the Constitution has been ratified by such an overwhelming, popular vote.

### Legislation for Enforcement.

Steps were immediately taken to pass concurrent legislation to give effect to the Eighteenth Amendment. The Federal Enforcement code—called the Volstead Act, after the Chairman of the Judiciary Committee who framed it—dealt with the whole subject, defined “intoxicating liquor” as any beverage containing more than *one half of one per cent. of alcohol*, and provided for the manufacture of alcohol for medicinal, sacramental, scientific, and industrial purposes. The measure was passed by both Houses, but was vetoed by the President. It was immediately reintroduced, passed by the necessary majority, and forthwith became law. Its validity was subsequently tested and upheld in the Supreme Court.

The Federal Prohibition Unit, created under the Volstead Act, consisted of a Federal Prohibition Commissioner—Major R. A. Haynes, with whom the Commissioners conferred—and a staff of over 3000 persons, including a field force of prohibition directors and enforcement agents, to operate throughout the United States. The department had also charge of the administration of the

law against narcotics, and the cost of the two-fold services to a nation numbering 110,000,000 amounted to \$9,250,000, or eight cents, per head—approximately fourpence per annum. Against this charge on the National Treasury has now to be placed the large income derived from fines and other penalties, which practically balances the expenditure.

All the States, with two exceptions, passed the necessary local legislation to enforce the Eighteenth Amendment, the provisions varying in stringency according to the "wet" or "dry" condition of each State.

### Effect of National Prohibition.

The immediate effect of National Prohibition was to abolish the brewing and distilling industries—without compensation. What this implies may be gathered from the fact that in 1917, the last year before war prohibition, there existed throughout the States 600 distilleries and over 1300 breweries. The total consumption of alcoholic liquor for that year, as shown by internal revenue reports, was 2,095,535,005 gallons. After National Prohibition came into force, only a few distilleries continued to operate for legal purposes under the Act, *i.e.*, for medicinal, sacramental, scientific, and industrial purposes, and only breweries manufacturing "near" beer, that is, beer containing not more than *one half of one per cent. of alcohol*. All the saloons disappeared. All liquor advertisements vanished from newspapers and hoardings. There were no outward indications that strong drink existed.

The closed distilleries and breweries were, without much delay, reoccupied as industrial works and as stores. In Louisville (Kentucky), for example, which was the centre of the whisky distilling industry, the Commissioners found the distilleries converted to other purposes, such as chemical works, warehouses, agricultural stores, cold storage plant, and manufactories of "soft drinks." Everywhere the saloons were reopened, and generally at enhanced rentals, as soda-water fountains, confection shops,



restaurants, banks, offices, drug stores, and general stores. The newspapers had as many advertisements as before. Most of the workers in the distilleries, breweries, and saloons were absorbed by other industries. It is well known that the liquor industry employs fewer workers in proportion to its capital than most other industries. It came under the notice of the Commissioners when in Massachussets, that there were thirty-three distilleries and breweries in the State in the year 1917, the capital of which was \$25,119,955, with a wage bill of \$2,448,043. The employees numbered only 2262, including eleven women. These all found ready employment in other occupations.

### Enforcement.

In order to understand the present position and the opposition experienced in enforcing Prohibition, it must be clearly kept in mind that the national enactment meant "No Change" for the thirty-three States which were already "dry." It was only in the remaining fifteen "wet" States that new conditions were imposed by the Eighteenth Amendment, and it is in these States that most of the difficulties have arisen, chiefly owing to the want of sufficient public sentiment to enforce the law.

It was not to be expected that complete enforcement would be immediately obtained, but there was a general tendency to expect more than seemed possible in the circumstances. There had been violation of the law under the old licensing system and in the States already under Prohibition. Illicit distilling and brewing had always existed in the remote and mountainous districts. The United States, like other countries, was in a condition of unsettlement after the War, and law was less easy to enforce than in normal times. The principle of nationwide Prohibition having been established and become part of the Constitution, there was undue dependence on the authorities, and consequent slackening of the moral forces that had brought Prohibition about.

Generally speaking, the agencies for enforcement, also, were not such as to ensure success. The Commissioners were informed that there were members of the police forces, and even judges, who were friendly to the liquor interest and opposed to Prohibition, and who proved remiss in carrying out their duties. In some States, police officers connived at violations of the law. Federal officials specially charged to enforce it, were found to be inefficient and open to bribery. All this increased the difficulty of securing convictions. The situation was aggravated by the cumbrous nature of the judicial procedure, which allowed of long delays in the prosecution of cases and permitted the accumulation of arrears. Party politics also entered largely into the question of enforcement, and were responsible for lax administration and the removal of loyal and capable officers.

As a result, there was, to begin with, only a nominal enforcement in some of the old "wet" States. Wealthy members of society who were in the habit of using alcohol for beverage purposes had laid in stocks of liquor and were not inconvenienced by the new legislation. Numbers of men in humbler stations of life accustomed to drink moderately, and others who drank to excess, were prepared to pay for liquor, and the demand naturally created the supply. From Canada, Great Britain, and other countries supplies were forthcoming and an illegal traffic quickly sprang up. Here and there an old saloon-keeper or bartender took to "bootlegging" (selling whisky illegally) and was joined by the lower type of Jew and foreigner who saw here an opportunity for making money. In the earlier stages these worked singly and independently as "pocket pedlars," carrying one bottle of liquor, but the profits earned were so great that clever brains were attracted to the business, bringing abundance of capital with organised methods of buying, selling and distributing the illicit liquor. There was also a considerable leakage of spirits from the Government bonded stores. Industrial alcohol was diverted to beverage purposes, "alcoholic" beer was sold by



breweries only permitted to produce "near" beer, and whisky was smuggled into the country at points along the frontiers and coasts. Doctors and dispensers were found who did not object to add to their incomes by unlawful means. It was some time before loyalty and efficiency characterised the police and judicial regime, and the disciplined forces of law and order began to cope with the situation.

### Violation of the Law.

Considerable evasion of the law continues to take place, particularly in the large cities of the Eastern States along the Atlantic sea-board where the population is of a heterogeneous character, comprising a large element of Italians, Greeks and other foreigners from Southern Europe who have been accustomed to drink wine, and who, together with Jews, Germans, Poles and other aliens, form the major part of the community. In view not only of this fact, but of the "wet" sympathies of many politicians, it was not surprising that New York repealed its enforcement law (Mullan Gage) ostensibly on the ground of difficulties involved in the dual Federal and State authority, but actually, as the result of a successful manoeuvre in party politics, thereby throwing the responsibility of enforcing the law on the Federal Prohibition agents. The city and county police, however, state that they are continuing to enforce the law and to co-operate with the Federal agents as formerly, despite the lack of sympathy and assistance from juries and judges. On the other hand the Southern, Middle and Western States that have a "dry" history and tradition adopt a different attitude. Most of these States passed this year additional legislation designed to tighten their enforcement laws and penalise more heavily all classes of offenders.

In connection with this whole subject of law evasion, the most is made in the newspapers on both sides of the Atlantic, of cases of smuggling and of illicit traffic in liquor dealt with by the authorities. Being sensational, they are

“good copy” and are given prominence. The good results of Prohibition do not make the same appeal, and do not get the same publicity. Hence the misleading view of the situation that is so often conveyed.

As the stocks in the cellars of well-to-do drinkers run done, and the profits associated with “bootlegging” increase, greater efforts are being made to secure supplies. The increased vigilance of the authorities, and their determination to enforce the law, are evidenced by the frequency of arrests and the heavy penalties imposed, irrespective of the social position of the offenders, but their efforts to suppress the illegal traffic are handicapped by the encouragement and support the “bootlegger” receives from other countries.

An extensive traffic in whisky purchased in the province of Quebec, and conveyed in specially constructed motor cars from Montreal, exists in the Eastern States, the police in Canada taking no action, and the police on the frontier State of Maine having no power to examine cars without a search warrant. Occasionally, on reliable information, action is taken and arrests effected. In one such case 744 quarts of Scotch whisky were seized on a car coming from the Canadian border. This consignment had cost \$3500, and was to have been sold in New York for \$15,000. This gives some idea of the “bootlegger’s” profits.

A serious aspect of law evasion, and one which has special reference to the people of Scotland, is the existence of a fleet of vessels operating within a few miles of the American coast, and participating in smuggling whisky into the country. These vessels, which are mostly under the protection of the British flag, are actively encouraging the violation of the Prohibition law by providing supplies for the “bootlegger.” Circulars have been sent out in this country to induce the public to share in this whisky-running by holding out the prospect of large profits from it. The attitude of the great body of American citizens to this traffic may be easily realised, if it be possible to imagine similar bases established off the shores of Great

Britain by unscrupulous aliens, with the deliberate intention of aiding and abetting the violation of our law.

If the enforcement of Prohibition in the United States were to continue to be hampered by outside interference, Great Britain would be marked as the chief offender. It is a situation calling for the earnest consideration of the British people, for if it is allowed to persist, it may lead to developments that would have a serious effect on Anglo-American relations.

### Dangers and Deterrents.

A powerful deterrent which is steadily operating against illicit whisky-dealing is the pernicious character of much of the liquor sold. It is rarely the genuine article. Consumers can never be sure of what they are purchasing. Scotch whisky is so manipulated on its way from the source of supply, that it has lost its original quality when it reaches the consumer. It is, besides, so costly that local imitations are numerous.

The Commissioners were shown at various centres quantities of liquor in bottles, with forged labels, bearing the names of well-known brands of Scotch whisky. Only 1 per cent. of the 80,000 samples of confiscated liquor analysed during the year ending 30th June 1923, was found to be genuine. Much of the remainder was "moonshine" whisky produced in improvised stills in secret and often insanitary cellars, and containing fusel oil or wood alcohol. Metallic poisons derived from the crude metal apparatus used in the process were present in dangerous quantities. Denatured alcohol, that is, alcohol rendered unfit for beverage purposes by the addition of another substance such as benzol, is also re-distilled and sold. Such concoctions are the cause of blindness, paralysis and death. These facts are well known and are having a restraining effect.

One of the most effective weapons now being used by the Federal Prohibition officers is the "injunction" or interdict proceedings in the Courts against persistent



breakers of the law. Under these, hotels, restaurants and soft drink saloons are closed up for an entire year, or permanently. The Commissioners saw in different cities, hotels and other business premises standing silent and unoccupied, with all their fittings and stock, the order of the Court prominently exhibited on the sealed entrance. Owners of property are becoming more careful as to their tenants in view of the serious loss which such interdict involves.

### **Respect for Law.**

Another factor influencing the situation is the growing feeling among all classes that evasion of the law is unpatriotic and incompatible with good citizenship. It is regarded as social and political sabotage. The truth that disrespect for one law tends to lead to disrespect for all law was prominently brought before the people by the Judicial Section of the American Bar Association, who issued a pointed warning, which said in part: "When, for the gratification of their appetites, or the promotion of their interests, lawyers, bankers, great merchants, and manufacturers, and social leaders, both men and women, disobey and scoff at this law, or any other law, they are aiding the cause of anarchy and promoting mob violence, robbery, and homicide: they are sowing dragon's teeth, and they need not be surprised when they find that no judicial or police authority can save our country and humanity from reaping the harvest."

A consciousness that they were not "playing the game" was manifest in the apologetic manner in which citizens sought to justify to the Commissioners their own violation of the law, and it was curious that quite a number, while resenting Prohibition, ended by extolling its beneficial results. A prominent man remarked: "I like my glass of whisky, but if I had two votes I would give them both for Prohibition." The moral sense and the business instinct were in conflict with inclination and habit, confirming what was found to be the general view that adequate

enforcement will not be attained until the present generation of alcohol drinkers has passed away.

No statement was made more frequently to the Commissioners by the anti-Prohibitionists than that Prohibition had produced lawlessness among young men and women who, in a spirit of bravado, carried about flasks of whisky and indulged in orgies at social gatherings, or at secret resorts near the cities. The Commissioners gave special attention to these reports, and while they traced a number of them to what seemed actual occurrences, they came to the conclusion that there was no ground for believing that such practices are general. No doubt excesses of the kind are being indulged in among certain sets in "smart" society, but they can be charged only to a small section of the population.

### Personal Liberty.

As the argument that Prohibition is an interference with the liberty of the subject is frequently advanced on this side of the Atlantic, it may be well to indicate what is the attitude of the average American citizen to this objection. In America liberty is prized and safeguarded, and any invasion of the rights of the individual is resented.

The view generally taken is that alcohol is a drug, and as in the case of other dangerous drugs its use must be restricted and regulated in the interests of the community. Legislation against alcohol-drinking is regarded as no greater interference with personal liberty than legislation against habits and practices which are injurious to public health and safety.

Ex-President Taft, Chief Justice of the Supreme Court of the United States, defined the prevailing attitude when he declared that "liberty, regulated by law, is that measure of freedom of action which can be accorded to each person, without injury to the enjoyment of similar liberty by others, or to the general welfare of all." Mr Taft has been convinced by observation and experience that the restriction

of individual freedom in National Prohibition is small in comparison with the contribution it makes to the public wellbeing. "That," he says, "settles its conformity to true principles of personal liberty."

### **Drug Addiction and Prohibition.**

It is frequently said that since intoxicating liquor has been prohibited, those with the unsatisfied craving for it are resorting to the use of drugs as a substitute. Federal and State Health Officers, and Chiefs of Police all emphatically declared that Prohibition was not a contributing cause of the increased number of drug addicts.

The Commissioners visited Hart's Island, New York, in which 60 per cent. of the prisoners were "dope" addicts, and found, in conversation with them, that the unsatisfied craving for alcohol very rarely leads to drugs. On a recent occasion the New York City Health Department asked 1403 drug patients the cause of their addiction. Only 1 per cent. came to it from alcoholic indulgence. Drug taking is a great and growing evil in the United States and in Canada, and is regarded by some as more menacing than alcoholism on account of the ease of handling drugs and the difficulty of detection. It is, however, a separate problem, and there is no causal connection between it and Prohibition.

### **Results of Prohibition.**

The Commissioners accumulated a large amount of evidence on every phase of the question, which cannot be given in detail within the compass of this Report. They are reluctant to quote many statistics, interesting as some of these are, since it is difficult to express their true value in a brief statement. Figures are freely used by Prohibitionists and Anti-Prohibitionists, but not always accurately or oppositely. In order that they may be a real reflection of a situation, all the circumstances and influences which lie



behind ought to be known and carefully considered. An interview with a Government statistician was illuminating in this respect. He showed how certain statistics were valueless from a comparative point of view owing to the presence of factors of which no indication was given in the figures. Chiefs of Police were agreed in declaring general statistics of crime to be unsatisfactory as arguments for or against Prohibition. The Commissioners therefore rely mainly on their own observations, and the results of their personal contact with the conditions brought about by Prohibition, together with opinions expressed to them.

**Health and Social Conditions.**—There is conclusive testimony that under Prohibition the health of the people has improved. This improvement is more pronounced in those States that have had a long experience of “dry” conditions. Prohibition has been a contributory cause of a lower death rate, for it has greatly recruited the family life of the nation. There is a marked change for the better in the condition of the homes, and in the appearance of the children, who are better nourished and better clothed. Many of them who had been sent early to work to help in maintaining the home are now free to return to school. The testimony of teachers is that the children are better fitted physically and mentally to benefit from the teaching they receive.

In view of the conditions in Scotland, enquiries were made as to what substitutes for the saloons had been introduced. The answer given to the enquiry was that a sober, intelligent man could be trusted to find his own substitute. He has re-discovered his home.

**Thrift.**—When the guillotine came down on the saloon the Savings Banks showed an immediate and marked increase in deposits. Soon money began to be expended on better clothing for the family, on better furniture and other comforts for the home, on healthy amusements, and by and by on motor cars and house property. Notwithstanding the freedom with which earnings are being spent on the necessaries and amenities of life, which is admitted by

merchants and traders, the Savings Bank deposits continue to show a steady increase.

**Crime.**—The arrests for drunkenness have greatly decreased, as have also the number of offences associated with it. This is shown by a careful calculation based on returns from fifty cities. Gaols, workhouses and inebriate hospitals have been closed; the work of charity organisations has been decreased by from 60 to 70 per cent., while missions having for their object the salving of drunkards have gone out of existence. Very striking testimony to this effect was furnished by prominent Salvation Army officers, and particularly by their superintendent in the one-time notorious Bowrey district of New York. Ample corroboration was given by other social welfare agents.

The Commissioners took every opportunity of testing the matter for themselves, by traversing the city streets at night. Occasionally they came across men dazed with "bootleg-liquor" and saw them brought into the police cells; on the other hand they often drew blank. At Louisville, in Kentucky, a city of over 230,000 inhabitants, they spent a Saturday night in the crowded streets and visited the negro quarters. Evidences of drink were nowhere to be seen. Policemen were not in evidence. Next morning enquiry elicited the fact that five men had been taken to hospital suffering from wood-alcohol poisoning.

**Public Behaviour.**—The Commissioners were impressed by the bright and happy demeanour of the people throughout the States, and by the orderly behaviour of the crowd in the streets, in public parks, at railway stations, on pleasure grounds, and at popular week-end resorts. No signs of intoxication were seen. The same is true of the travelling public on steamers and trains. One train conductor with thirty-three years' experience stated that in pre-Prohibition times he had often had serious trouble with intoxicated passengers, but now his work was "like conducting a Sunday School trip."

In the absence of saloons and of the evidences of drink the children are growing up without a knowledge of its

existence. Few of them have ever seen a drunk man. In the old Prohibition States this testimony was repeatedly given. The Commissioners were told of a party of Rhodes scholars from "dry" States, who, on travelling east before the Eighteenth Amendment was passed, were interested to see saloons for the first time. In these middle States intoxicating liquor is not spoken of or thought of. It is something which does not enter into the life of the ordinary citizen. It belongs to a state of things in the past.

**Industry and Commerce.**—Impressive testimony was borne by employers of labour as to the benefits of Prohibition on industry and commerce. The Commissioners interviewed a large number, including the President of the United States Steel Corporation, which employs from 250,000 to 300,000 men, superintendents of railways, managers of street tramways, heads of electrical and other undertakings, merchants and owners of large departmental stores. Some of these frankly admitted that at one time they had not been in favour of Prohibition, but had changed their views under the pressure of the economic argument. While raising the moral tone of the workers, Prohibition had made for increased punctuality, efficiency and output. There were now no "off-days" and no trouble with muddled men on Mondays and Tuesdays. Other employers who personally favoured a modification of the law admitted the good effect of Prohibition in these respects.

Here it must be noted again that such evidence related chiefly to "wet" States that have gone "dry" under National Prohibition. The improved conditions referred to have long been in existence in the "dry" parts of the United States, and in many of the largest establishments and workshops throughout the country. On the great railway systems, for instance, no man found drinking intoxicating liquor on or off duty has been able to retain his situation.

It may be mentioned that many regard the extraordinary vogue of the motor car and the problem of traffic regulations it has created, especially in the great cities, as a feature of civic life which made Prohibition almost a necessity.



It is difficult to imagine what would happen in the busy streets of New York, Chicago, or Los Angeles, if anyone under the influence of liquor were to attempt to drive a car through the traffic. As Mr. Ford put it—"Gasolene and alcohol don't go together. They won't mix."

**The Attitude of Labour.**—Considerations of safety and efficiency in the industrial world had much to do with preparing the way for Prohibition. They help to explain why it received the general support of the industrial classes. It was expected that when National Prohibition came into force there would be beer strikes, especially among the foreign workmen, and the American Federation of Labour opposed it on this account; but nothing of the kind happened. The Commissioners interviewed Mr. Gompers, the President of the Federation, who stated that a majority of the working men desired a modification of the Volstead Act to permit the sale of light wines and beer. This statement, however, was controverted by other Labour leaders who were interviewed. They declared that this desire was largely confined to workmen of foreign birth.

## GENERAL CONCLUSIONS.

### United States.

A number of general conclusions emerge from the consideration given to the question.

(1) Prohibition may be regarded as having become a permanent feature of American life, for it is hardly within the bounds of possibility that the Eighteenth Amendment, part of the constitutional law of the country, can be abrogated. The present issue before the people is the enforcement of the law, and there is no doubt that, given reasonable time, this will be accomplished. It is only now being realised what complete enforcement implies, and a national campaign of education has been inaugurated with the object of inspiring loyalty and obedience to the laws of the country.

As already indicated, one of the great problems the United States has to deal with is the assimilation of the constant stream of alien immigrants, with habits and customs differing widely from the American born. It necessarily takes time before these incomers accept the new conditions of their adopted country and become good American citizens.

(2) There is no prospect that the saloon, or public house, will be seen again in the United States. The Commissioners did not meet a single individual, from the Atlantic to the Pacific, who had a good word to say for it. Its extinction is taken for granted by every class in the nation. The leaders of the Anti-Prohibition movement expressed themselves as emphatically on the point as the Prohibitionist.

It was interesting to the Commissioners to meet ex-saloon keepers who admitted the evils of the open bar, and declared that they would never vote for its return. These men were now conducting popular restaurants and "soft drink" saloons, and were prosperous and satisfied with the new conditions. Their satisfaction was due not only to their business success, but to the fact that the social ban had been lifted and their children were no longer shunned by others because of their father's connection with the whisky saloon.

It may be accepted, without question, that the day of the saloon is over.

(3) There is a fairly strong movement, especially in the Eastern States, for the modification of the Volstead Act in the direction of allowing the sale of wines and beer of a moderate alcoholic strength. It is difficult to see how this is to be accomplished, yet an organised social and political propaganda is going on in the hope that some method will be found of relaxing the existing stringent regulations. When the supporters of this movement were questioned as to how beer and wine can be sold without bringing back the saloon in some form, they stated that no definite plan had yet been formulated, but frequent reference was made

to what they termed the "ideal" systems of Quebec and British Columbia. The Commissioners could not fail to see, however, that they had but little acquaintance with the actual working and results of these systems.

The position of the Prohibitionists on the other hand is that even if the constitutional difficulty could be overcome, the manufacture and sale of beer and light wines would lead to abuses and to the return of the saloon. This latter contingency would be sufficient of itself to defeat the movement.

(4) It is obvious that complete success can only attend Prohibition when the supplies of liquor from illicit and outside sources have been cut off. So long as the taste for it exists, so long as it can be imported, and so long as large profits are derived from this illicit traffic, smuggling will continue, though probably in a diminishing degree.

The working of Local Option in the United States was in its earliest stage adversely affected by the contiguity of "wet" districts. Now the operation of National Prohibition is being hindered by the "wet" conditions prevailing across her frontiers, and by the importation of intoxicating liquors from Great Britain, Canada, and other countries.

It was impressed upon the Commissioners from their study of Prohibition in all its aspects, that it is an international question. The evils of intemperance are worldwide in their prevalence and their incidence. They do not halt at the frontiers, and any nation which resolutely sets itself to deal with them within its borders requires the sympathy and moral support of its neighbours. If it can achieve for itself a clean, healthy, national life, that life will inevitably react for good on the citizenship of the world. The earnest efforts of a great nation—which has a common origin and history with our own—to work out its social salvation, should be treated with the utmost consideration by the English-speaking peoples of the world.



## CANADA.

The situation in Canada is of an entirely different nature from that in the United States. Up to the time of entering Canada the Commissioners had been dealing with a straight issue, but they had now to face a situation comprising various systems of liquor regulation. Prohibition in the American sense cannot be said to exist in the Dominion. Even in provinces where regulation is most strict, it is only partial in its operation. The position in Canada to-day corresponds generally to the position in the United States twenty or thirty years ago, but the constitutional aspect of the question presents a much more complicated problem. There is a distinct division of authority. The Dominion Government has sole control of inter-provincial trade and commerce, and licenses all distilleries and breweries. No measure of Prohibition adopted by a province can prohibit distilling and brewing within its bounds for export purposes. Every province has been striving for, and gaining a measure of, prohibitory legislation, but the full benefits have not been secured owing to the operation of this divided jurisdiction.

### The General Position.

Canada had licensing and other regulatory laws before the Act of 1864 gave a certain measure of Local Option. This was adopted in a large number of counties and municipalities, but various circumstances combined to make it ineffective. An agitation developed for a general prohibitory law for the Dominion, and the Canada Temperance Act was passed in 1878, giving counties the right to prohibit the retail sale of liquor. The same difficulties again arose. It was not easy to secure by provincial authority enforcement of a federal law invoked by county action, and so the provinces proceeded to pass their own legislation for securing Local Option. The subsequent history of the movement is a record of continuous struggle,

of referendum, and of varying majorities for Prohibition. In a plebiscite of the whole Dominion, taken in 1898, the majority in favour of Prohibition was 13,687, the only province with an adverse vote being Quebec. No action, however, was taken on this electoral decision, and the campaign continued, and continues, each province adopting its own line of policy with varying success.

The party opposed to Prohibition is known as Moderationist, and, formed into leagues, has good organisation and is well led. The evangelical churches in Canada are ranged on the side of Prohibition. Party politics are an influential factor in the situation.

Up to 1919 no province had the power to prevent the importation of liquor from any other province or from abroad. Since 1919 this situation has been modified by a Dominion provision, by which the importation of liquor into a province which is under Prohibition can be stopped if the legislature of the province objects to importation, and this objection is sustained on a referendum to the people. No province, which does not possess Prohibition, can prevent the importation of liquors for beverage purposes.

How these principles work out in practice may be seen from a brief statement of the conditions prevailing in the various provinces.

### **Government Control in British Columbia.**

In dealing with British Columbia, the mixed character of the population should be kept in mind. In the early days of development adventurers were attracted in large numbers by the mineral wealth of the country. Speculation was a prevailing passion. Crooked politicians entered public life, and there were no helpful traditions, as in the eastern provinces, to make for good citizenship. These influences are still being felt. The population is of a cosmopolitan nature, comprising Britishers, Indians, and Orientals, while a considerable stream of tourist traffic passes through the province.

In 1898, British Columbia voted for Prohibition on the

Dominion plebiscite, and again in 1909, by a much larger majority, voted for Local Option. In 1917, a Provincial Act was passed prohibiting the sale of intoxicating liquor for beverage purposes, but permitting the importation of liquor for use in a private residence only. That permission was necessary, in order to comply with the Dominion regulation prohibiting interference with inter-provincial trade and commerce. The enforcement of the Act was far from satisfactory. Liquor was imported in large quantities, and the bootlegger flourished. The Prohibition Commissioner was convicted of malpractice, and sent to gaol. The Moderation League handled the situation adroitly, and sought to convince the electors that under Government control "bootlegging" would cease, and the profits of the traffic would be diverted into the public exchequer to reduce taxation. A plebiscite was taken in 1921, the question on the ballot being: "Which do you prefer? (1) The present Prohibition Act; or (2) an Act to provide for Government control and sale in sealed packages of spirituous and malt liquors?" The second alternative received a large majority of votes, and the Liquor Control Act came into effect on 15th June of the same year.

This is the present situation. The Provincial Government has become the liquor vendor, and supplies the public from Government Liquor "Stores," of which there are sixty-eight in the province, seven being in the city of Vancouver. These stores are open from 10 a.m. to 6 p.m., from Monday to Friday, and from 12 noon to 8 p.m. on Saturday. No purchase can be made without a permit, but any person over twenty-one years of age can procure a permit on payment of \$2 annually.

The liquor is sold in sealed packages, and must be carried away by the purchaser, and not consumed in a "public place," but beer in quantities of two dozen bottles or over is delivered direct to the purchaser's residence by the breweries, on the order of the Liquor Control Board.



On a Saturday, when trade was brisk, the Commission visited one of the largest of the Government stores, and were given facilities for studying the working of the system. So far as could be ascertained, there is no limit to the quantity that can be purchased. The Commissioners found that there was little control in the system beyond the creation of a Government monopoly of the liquor traffic for revenue purposes. The public bar has been abolished, but there has been, in consequence, a great increase of drinking in "private" places, within the meaning of the Act—the home, the hotel bedroom, and the club. Clubs have sprung up everywhere, largely in connection with hotels, where members have lockers in which their store of liquor is kept. When liquor is desired, a service token has to be purchased and presented to the club steward, who should then serve the member out of his private stock. But these clubs provide a ready means of evading the law, and are practically a reincarnation of the old bar in a more private form. The abuses connected with them have been so flagrant that the city of Vancouver has been compelled to pass special bye-laws for their regulation. But on the testimony of the police, "the clubs are a hopeless problem to handle."

Enquiry of civic officials of Vancouver as to whether a Government control has reduced the city rates received response in the negative, and the remark was offered that there appeared to be no prospect of a reduction in the near future.

(After a careful study of the situation, the Commissioners came to the unanimous conclusion that Government control in British Columbia is unsatisfactory as a solution of the liquor problem, and is socially injurious. It allows unrestricted purchase of liquor, encourages secret drinking, and leads to evasion of the law through the activities of clubs. Drunkenness has not diminished. The boot-logger is as active as ever.) The figures for the first six months of 1923 show that the Liquor Control Board did not import one half of the liquor brought into the province.

Large quantities of liquor are being smuggled to the United States, and into the neighbouring provinces of Canada which are under Prohibition. ) "All that can be said for the system," as the President of Vancouver University informed the Commissioners, "is that it helps to remove a temptation from a man who does not put himself in the way of it."

In confirmation of their view of the situation, the Commissioners quote the following resolution which came to their knowledge while the Report was being prepared:—

"At Prince Rupert, British Columbia, on 25th August 1923, at the British Columbia Municipalities Convention, it was moved by Reeve Loutet, of North Vancouver, seconded by Reeve Chambers of Penticton, and unanimously agreed, That this Convention places itself on record as strongly protesting against the present disgraceful situation throughout the province in regard to the formation of clubs and the sale of liquor therein; that the present situation is worse than in the days of the open bar, and is not only destructive to the morals of the people, but is degrading in bringing about general contempt for law and order; that the Government be urged at the earliest possible moment to consider this situation and enact laws to alter this deplorable state of affairs."

### Government Control in Quebec.

The eastern province of Quebec has a composite racial and religious population, of which the Protestants form a small minority. The great majority are French-Canadians, who are Roman Catholics, and there is a large element of Jews and foreigners. The position presents certain curious and paradoxical features. Quebec was the first province to enact prohibitory legislation. To-day its cities are the "wettest" spots of North America, although over 80 per cent. of its territory is under Local Option. Generally

speaking, the province was under the licence system up to 1919, when the Government passed a Prohibition Bill, which was immediately modified under referendum to admit of the sale of light beer and wines. This arrangement proved very unsatisfactory. Many abuses crept in, much hard liquor was sold in the guise of temperance drinks, and so many fortunes were made through the illicit sale of liquor, that the Government, without referring the matter to the electorate, took over the control under a new law called the Alcoholic Liquor Act. The sale of spirituous liquor, including wine, passed into the hands of a Commission of five, while beer was supplied to dealers by brewers who were required to pay to the Government a tax of 5 per cent. on their sales. Hard liquor is sold in Government Stores, of which there are thirty-six in Montreal. No permit is required, and purchasers can only legally obtain one bottle at a time. Beer is sold by the glass in "taverns," of which there are 300, where the customers are required to sit at a table instead of standing at a bar. It is also sold in bottle by licensed grocers, of whom there are 180. Wine and beer may be served with meals only, in restaurants and hotels, of which there are seventy, and special permits can be obtained for special functions.

Local Option under the Dominion Act is in force in the rural municipalities, and out of 1187, over 800 have taken advantage of the provision of the Act and are "dry."

The Commissioners bear witness to the thoroughly efficient manner in which the Liquor Commission have organised the system and are working it, but they were deeply impressed with the results as reflected in the unsatisfactory social conditions of Montreal. They saw little difference between these, and the conditions prevailing in cities where the open bar is in existence. The "taverns" are chiefly crowded into the poorer districts and business sections of the city, where intoxicated men are to be seen in the streets.

Owing to the proximity of the city to the United States



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frontier, and the ease with which liquor can be purchased, Montreal is visited by large numbers of Americans who come to procure supplies. It is also becoming a popular meeting place for American Conventions. It is the resort of American "bootleggers" who are able to purchase liquor and smuggle it by motor car into the United States. A strong impeachment of the morals of the city was made to the Commissioners by Dr. Haywood, Superintendent of the Montreal General Hospital, who is a specialist in the treatment of drug addicts. The fact which he stated, that drug consumption is assuming large proportions in this "wet" city, argues against the contention of the Moderationists that there is a connection between drug addiction and Prohibition. Montreal, it may be stated, is the only city on the North American Continent which has a "red light" district, where legalised vice is permitted.

### The Manitoba Situation.

The success of the Moderationists in the strategic positions in the east and west induced them to attack the centre, and Manitoba Province was the next to abrogate the Prohibition law which years of effort had succeeded in placing on the Statute-book. It was the first Province to take a Temperance vote. This was in 1892, other votes being taken at intervals, and four out of five resulting in favour of Prohibition. The public sentiment produced in 1900 the Manitoba Temperance Act, which prohibited the sale of liquor for beverage use. Owing to dissension in the Temperance ranks, this Act could not be brought into operation till 1916. By a subsequent vote taken in 1920, the importation of liquor into the Province was prohibited.

The Moderation League then began an active campaign in favour of Government control, special attention being given to the city of Winnipeg, which contains a large proportion of foreigners. They contrasted the case of Quebec

and its flourishing revenue under liquor control, with the large profits being made by "bootleggers" in Manitoba. If these profits could be secured for the Government, they would reduce taxation and wipe off the provincial debt.

Six or seven years had passed since bars had been in existence, and the evils connected with them were practically unknown to the younger electors. The Prohibitionists imagined that their victory was quite secure, until they suddenly found themselves on the defensive, facing a referendum secured by the Moderation League on the question of altering the law in favour of Government control. The result of the referendum was a majority of 40,000 for Government control. Winnipeg voted "wet," but the country districts also showed a decline in the Prohibition vote.

In explanation of this decline, it has to be said that there were forces operating to bring the Prohibition law into contempt. The Moderation League had questioned the justice of the law, and thereby encouraged the bootlegger. The Chairman of the Police Commission stated in public that he did not wish the police to enforce it. In 1920 the Government had cut down the grant for the enforcement of the Act. \$126,000 were taken in fines, and only \$20,000 were spent on enforcement.

There was an interesting sequel to the decisive vote for Government control. Within a few weeks another referendum was taken as to whether beer and light wines should be served with meals in hotels, when there was a majority of 35,000 against the proposal.

The inference to be drawn from this apparently vacillating expression of opinion seems to be that while a large number of the electors were so dissatisfied with the lax enforcement of Prohibition as to be prepared to give Government Control a trial, there was still sufficient Prohibition sentiment remaining to prohibit drinking in public places.

The New Act for Government control and sale of liquors which was drafted by the Moderation League, is

on the same general lines as the Act in British Columbia. The sale of liquor is to be in the hands of a Commission, under two classes of permits, one for a single purchase which costs 50 cents., and the other, a general permit which costs 1 dollar. Hard liquor is to be sold in Government stores in sealed packages and consumed only in the private residence of the purchaser, and beer may be purchased from breweries licensed by the Dominion Government.

It is important to note that care has been taken in the New Act to safeguard the right of municipalities to adopt Local Option, and it is provided that in any municipality which is under Local Option, no Government store for the sale of liquor shall be established.

### Ontario.

In Ontario Prohibition developed out of strict licensing laws and Local Option. Since 1916 the Province has been "dry," but only in the restricted sense in which the term can be used in Canada. The general sale of intoxicating liquor is prohibited within the Province, but manufacture for export is permitted by the Dominion Government. There are seven distilleries and thirty breweries at work. Native wine is allowed to be manufactured from grapes grown in Ontario, and beer may be brewed at home for family use without a licence, and without being liable to duty. Any person may have liquor in any quantity in his private residence. Liquor may also be obtained on medical prescription from Government dispensaries. The system of dispensing is worked by a Board of Commissioners who have brought it to a high pitch of efficiency, but they gave it as their opinion that not 25 per cent. of the liquor prescribed and dispensed was required as medicine. The Provincial Enforcement officers are continually embarrassed by the uncontrolled manufacture of liquor for export, by the sale of medicated wines and alcoholic extracts and essences, by "bootlegging," and



by illegal importation from Quebec. Despite these drawbacks the Commissioners were informed that great benefits had resulted from the present prohibitory legislation. Manufacturers are of opinion that Prohibition in Ontario has contributed to increased production of goods, by ensuring greater regularity and efficiency on the part of the workers. Drunkenness and poverty have decreased. Families are better fed and better clad. Homes are brighter and better furnished. School inspectors state that the improvement in the home surroundings of the children has produced a marked improvement in their attendance at school, thereby ensuring them a better education.

On the other hand, the leaders of the Moderation League in Toronto stated to the Commissioners that the Act had increased drunkenness and lawlessness, especially among young people ; but this statement was controverted by the Chief of Police. In this connection it is worthy of note that at the Canadian National Exhibition held at Toronto last year, and attended by 1,372,500 people, only one arrest was made for drunkenness. This year a member of the Commission visited the Exhibition in that city, spent eleven hours in investigation, and failed to see any person under the influence of alcohol. The Moderationists, like all others, are opposed to the return of the open bar. They favour Government control and are working to that end. They professed, however, to entertain no expectation of any early change in the existing liquor law.

### Alberta.

Exceptional facilities for studying the situation in Alberta were granted to the Commissioners. The Mayor of Calgary placed the Council Chambers at their disposal and there two all-day sessions were held, at which employers of labour, women leaders in social work, newspaper men and educational experts, ministers of religion, representatives of Labour and officials of the Moderation League, attended to give their views.

Prior to 1905, when it was granted the status of a province, Alberta, was under a licence system which continued to operate throughout the greater part of the province till after the outbreak of the War.

The Old Territorial Ordinance passed in 1891-92, had Local Option clauses providing that no licence might be granted by the Board of Licence Commissioners, within the limits of a licence district, where a majority of three-fifths of the electors had declared themselves against the issue of licences in that district. Its regulations did not satisfy the Temperance Party, who regarded the securing of a three-fifths' majority as a heavy handicap to progress. They kept pressing for a new Local Option law, with little success, the Government insisting on the three-fifths' majority to carry "No-Licence," and requiring a deposit of \$100 in case of a vote, which was forfeited when the vote was adverse. In 1915 the Alberta Liquor Act was carried on a referendum by a majority of 20,786. This Act closed the bars and prohibited the public sale of intoxicating liquor as beverages, but granted householders the right to import liquor from neighbouring provinces for private consumption up to 1 quart of spirits and 2 gallons of malted liquor.

The Act came into operation on 1st July 1916, but on 1st April 1918 a Dominion Order in Council prohibited the importation of liquor into one province from another or from outside Canada. During the subsequent epidemic of influenza, there was a relaxation of the regulations, and when the Order in Council was discontinued on 1st January 1920, and the importation of liquor into the province was again legalised, the difficulties of enforcing Prohibition were increased. By the Amended Canada Temperance (Scott) Act the legislature of the province exercised its right and asked for a measure prohibiting the importation of liquor. A plebiscite was taken by the Federal Government in October 1920, when the people voted for making the province "dry" by a majority of 18,596. As the result of this referendum, since 1st February 1921, the importation of liquor into the province for beverage purposes has been

prohibited, and the province is as "dry" as the Legislature can make it.

The same difficulty, however, of enforcing the prohibitory law is experienced in Alberta as in other parts of Canada. The Provincial Legislature has no power to prohibit the manufacture, within the province, of liquor for export purposes.

This is the crux of the situation. The Dominion Government has no declared Prohibition policy, and law-enforcement in the Prohibition provinces is hampered by the lack of co-operation between the federal and provincial authorities.

In spite of all the difficulties, it is contended that the Liquor Act is being increasingly enforced and that Prohibition sentiment in the province has been strengthened.

It is admitted that under Prohibition convictions for drunkenness have greatly decreased. There are only two gaols, the others having been closed, and the criminal population is just over 50 per cent. of what it was in 1914. The Moderationists, however, contend that the diminution in the number of prison inmates is due partly to the parole system at present operating, and partly to the fact that judges are now giving shorter sentences.

An element in the situation has been the abuse of medical prescriptions for liquor. Where the Act was lax in this respect it has been amended, and now a medical prescription must be written on a special form, and only 100 per month are allowed to each practitioner. But it is difficult to convict a medical man of law-breaking, seeing the Act permits him to prescribe liquor "if, in his judgment, it is necessary for the health of his patient."

The Moderation League is dissatisfied with the conditions prevailing, and is conducting an energetic campaign. Alberta has the power to initiate legislation as a province, and a referendum is to be taken on 5th November of this year, when the electors will be asked to vote on four options:—



- (a) Prohibition as at present.
- (b) Sale of Light Wines and Beer.
- (c) Government Sale of Beer.
- (d) Government Sale of all Liquors.

The issue is really between *a* and *d*, between Prohibition and Government Control.

### Saskatchewan.

This extensive province could not be visited by the Commissioners, much to their regret. The position there may be briefly stated.

Licence control of the liquor traffic in this territory began in 1892, was continued during the following thirteen years, and was the system in operation in 1905, when Saskatchewan, having been created into a province, obtained liberty to deal with its drink problem in the way it deemed best. From 1905 to 1915, various improvements in the law were effected, temperance sentiment was fostered, and by employing the method of Local Option the opinion of the electorate in many municipalities was tested.

Soon after the outbreak of the war, popular feeling with regard to the abolition of the open bar was estimated to be so strong that the Government prepared the Sales of Liquor Bill, which became an Act on 24th June 1915. On the last day of that month all public bars and liquor stores were closed, and twenty-three Government liquor stores were opened. Before the end of the same year, the request was made by more than one district that the Government liquor store should be given up, and before the close of the following year, or not quite eighteen months after the system was inaugurated, the electorate, by a majority vote of 71, 583, decided that it ought to be discontinued. Since the abolition of the stores, the importation of liquor for private consumption has been made illegal. It can now only be imported for medicinal, sacramental, chemical, and manufacturing purposes.

The experience of Saskatchewan is specially interesting in this respect, that having given Government Control a trial, the province reverted to Prohibition, and by such an emphatic declaration of opinion.

### **New Brunswick and Nova Scotia.**

The Commissioners regret that they were unable to visit the maritime Provinces of New Brunswick and Nova Scotia. According to evidence presented to them, these provinces are still strongly Prohibitionist. The law appears to be well enforced, and there is at present no indication of a return to the open sale of liquor.

### **Smuggling from Canada into the United States.**

The conditions in Canada have a modifying influence on the successful operation of Prohibition in the United States. The Dominion law does not prevent the export of liquor from the provinces, and it is not illegal for distillers to send it into the United States. Export warehouses are licensed by the Dominion Government. So long as the duty is paid on the liquor, the Excise Authorities do not concern themselves to see that it reaches the destination to which it is shipped. They leave to the provincial officers the duty of preventing the sale of it within the province in which it is manufactured. They take up the position that it is the United States authorities who are responsible for preventing the importation of liquor into their own country.

The excise duty on both spirits and beer is refunded to the exporter when satisfactory proof of export to a foreign country is furnished. As it has been found impossible to obtain proof of export, the Dominion Government make the manufacturers pay the duties, and leave it to them to charge the consumer, with the result that there has been a large increase in revenue at the expense of the United States consumers.

These conditions are naturally favourable for smuggling, which is carried on by sea, and along the frontier line. Vessels load up with liquor for Mexican ports on the Pacific coast, and for the Bahamas or West Indies on the Atlantic coast, and these cargoes are discharged at suitable points under cover of darkness. Motor boats on the Ontario Lakes do a successful business, their shipments being often short-circuited, that is, find their way back into Canada to provide supplies for the "bootlegger."

A Custom House officer at Windsor, Ontario, for instance, will watch the loading of a motor boat with liquor, and cannot interfere with its despatch, as its ostensible destination is Detroit, on the American side. Some hours later the same boat may return, steal into a secret rendezvous on the Canadian shore, and deliver its cargo to the Canadian "bootlegger."

It is not surprising that illegal liquor is obtainable in the provinces, when distilleries, breweries and export houses licensed by the Dominion Government cannot be prevented from operating by any provincial legislation.

As has been already stated, there is an active traffic in "rum-running" from the province of Quebec into American territory. The officers of the Quebec Liquor Commission have authority to deal with Canadians who are engaged in it, but they do not interfere with American citizens. It will be evident that this illicit transportation of liquor from Canada into the United States is a serious hindrance to the enforcement of Prohibition law. It is also a source of friction between the two peoples, and requires to be dealt with. It is hoped the situation will be greatly improved as a result of the conference which is to take place between the authorities at Ottawa, and at Washington.

## GENERAL CONCLUSIONS.

### Canada.

(1) While the several provinces of Canada enjoy a large measure of self-government in local affairs, their provincial legislatures cannot enact any legislation affecting the trade and commerce of the Dominion. This limitation of power has hampered all provincial prohibitory legislation dealing with the liquor traffic, and has denied the provinces the full benefit of the restrictive measures they have passed. It seems a strange anomaly that in a province which is under Prohibition, distilleries and breweries should still be operating for export purposes, but all efforts to get the power to close them down have so far failed. It is only reasonable to believe that Canada will not be able to put Prohibition to a fair test, until the provinces are given a free hand—that is, until full provincial autonomy in liquor legislation, including the manufacture, sale, export, and import of alcoholic beverages, is granted by the Dominion Government; or, if that is not possible under the British North America Act, until it is secured by an amendment of that Act.

(2) The prospect of securing a considerable revenue from the Government Control of liquor to liquidate the provincial debts, is a factor influencing the situation in the Dominion. British Columbia was induced by this argument to adopt Control. The results have disappointed expectations. Where Government Control has been adopted as a means of discouraging the practice of law-evasion and putting the "bootlegger" out of business, it is admittedly a failure, for it leaves him as active as ever. Where the electors are persuaded to give it a trial as an experiment for securing the profits of the liquor traffic for the public good, it is, as a prominent Treasury official in Manitoba put it, a "blundering attempt on the part of the people to drink themselves out of bankruptcy."



• (3) It was stated to the Commissioners, who found the same statement made publicly, that the Moderationists are spending large sums of money to make enforcement of Prohibition impossible, and are directly encouraging lawlessness. The Commissioners can offer no opinion on the point, but they think it only fair to say that many whom they met appeared to be high principled men, sincere in their convictions, and good citizens.

## THE POSITION IN SCOTLAND.

The bearing of American and Canadian experience on the present position in Scotland may be gathered from the foregoing facts. It has been shown that the United States arrived at Prohibition not by hasty revolution, but by a gradual process of evolution. It was reached through Local Option. Without Local Option neither the United States nor Canada could have achieved what they have done. It is the opinion of the Commissioners that if Scotland desires to do away with the admitted evils of intemperance, it should study the history of liquor legislation in the trans-Atlantic countries, with special reference to the part Local Option has played. Prohibition obviously cannot be imposed upon a democratic nation against the will of the majority, since it is only the majority who can give a principle legislative sanction. The teaching of American experience is that the public mind has first to be educated on the question, and familiarised with all its aspects and implications before it can express itself in effective measures. The fluctuations recorded in America before opinion became stabilised were largely due to imperfect knowledge and premature action. Prohibition advanced step by step with the development of public sentiment in its favour, and this points to the need for a patient, intelligent, and sustained campaign of education based not only on moral ideals, but on the logic of social and economic facts.

The best way of registering the growth of this feeling

for temperance reform is by Local Option, which demonstrates the actual benefits resulting from the abolition of licensed premises, and capitalises the progress made. The Temperance (Scotland) Act supplies the means for doing what is required in this direction.

The Commissioners cannot close their Report without acknowledging the invaluable assistance they received in their investigations from Governors and Congressmen, Commissioners and Attorneys-General, Mayors, City Councillors, and Chiefs of Police, Principals of Colleges, Editors of Newspapers, Health Officers, and Ministers of Religion, members of the Anti-Saloon League, the Association against the Prohibition Amendment, and the Moderation League, Labour leaders and a large number of prominent business and professional men, as well as women interested in Social Welfare, and private citizens, both in the United States and Canada. To all these the Commissioners are deeply indebted for facilities for pursuing their enquiry graciously provided, and for personal kindness shown to them.

We are,

MY LORD AND GENTLEMEN,

Your obedient Servants,

JOSEPH JOHNSTON, *Chairman.*

J. M. MUNRO.

R. GIBSON.

W. P. LIVINGSTONE.

ROD: MANSON, *Hon. Secretary.*

EDINBURGH, *October 18th, 1923.*

[APPENDIX.]

**Commission of Scottish Churchmen to the  
United States and Canada.**



APPENDIX TO THE REPORT.

From the questionnaires returned, and from statistical information supplied by Government officials and others, much reliable data have been obtained, an examination of which goes to establish the following facts:—

**Domestic Conditions.**

In regard to domestic and social conditions, the evidence is indisputable that where respect is shown to the Prohibitory laws, a very marked improvement is discernible in the homes of the poor, and of those who were tempted by the presence of the saloon to spend a considerable portion of their earnings in drink. The homes are cleaner and better furnished, the children are better educated, there is money to spend on wholesome pleasures, and the families are better fed and clothed. The President of a Clothing Workers' Union reports that during the years Prohibition has been in force, from 16th January 1920 to 27th December 1922, he has found that on an average about six and one half million more suits of clothing were manufactured annually, and that the shoe manufacturers had a ratio of about the same as the clothing manufacturers.

The General Secretary of the Neighbourhood Workers' Association, Toronto, a Family Welfare Organisation, makes this statement :—" Before Prohibition came into effect, not only was intemperance a problem in itself, but a factor in most of the other problems. To-day intemperance is practically a negligible quantity as a cause of poverty."

### Health.

Public health has improved, the betterment being specially noticeable amongst the poorer classes of the population, the general death-rate has fallen, infant mortality has been reduced, and there has been a marked diminution in the number of accidents and injuries. Expert evidence on the effect of Prohibition upon the prevalence of diseases due directly to indulgence in alcohol has been furnished by a former Commissioner of Health of New York City, who has stated in writing that a " study of the experience of hospitals shows a very large reduction, and in some cases a complete disappearance from the hospital wards of the patients suffering from the chronic effects of alcoholic intoxication; as, for instance, alcoholic cirrhosis of the liver, and alcoholic multiple neuritis, and a marked change in the type of the patient admitted for alcoholic intoxication to such hospitals as Bellevue Hospital in New York and Cook County Hospital in Chicago. Further convincing evidence is shown in the large reduction from about 21 per cent. to 4 per cent. of admissions for psychosis due to alcoholism into the State hospitals for mental disease. The total deaths in New York City due directly or indirectly to alcoholism have been reduced to one-third of the ordinary pre-prohibition number." Corroborative evidence is given by Dr. O'Hanlon, the Superintendent of Bellevue Hospital, who has stated that, owing to the great decrease in the number of cases of alcoholic disease, the special alcoholic wards have been given up, and the patients admitted and treated in the psychopathic wards.



## Business.

Business has benefited. The overwhelming consensus of opinion is that Prohibition has been good for every department of industry, that it has helped to improve the mental, moral and physical condition of the workers, and has been the instrument, to a considerable degree, in raising the standard of efficiency.

Declarations such as the following are constantly made:—  
 “We have in our employment a number of men who were habitually off from one to three days after every pay day, and their records now show that they have missed practically no time for over a year.” “There has been a considerable increase in efficiency and steadiness of labour.” In this connection words spoken by Sir Eric Geddes at Bradford may be quoted. They are taken from a report of the speech which appeared in the *Montreal Daily Star* of date 27th August 1923:—“In America, since 1921, there has been an all-over improvement of 15 per cent. in the industrial efficiency of the operative. I do not know whether this is because America is ‘dry’—because, talking from the point of view of industrial workers, America is practically ‘dry,’ and all we hear about the bootleggers and the ease with which liquor is obtained, does not apply generally to the industrials in the States—or whether it is due to a better organisation of industry and a higher standard of factory management and efficiency.” It will be readily admitted by students of the situation that Prohibition is not the sole factor which has brought about the gratifying improvement in efficiency, but it cannot be doubted that it is a main contributing factor.

The Secretary of the Colorado Fuel and Iron Company, Denver, Colorado, bears the following testimony:—“The company employs from 13,000 to 14,000 men. Its operations include coal mines, iron mines, lime quarries and a steel plant, manufacturing finished products from the raw material.

“Our conclusions on the effect of Prohibition are definite.

There is unquestionably a marked improvement in health, morals, general welfare and prosperity among our employees, and this extends generally to their families. Passing to more specific consideration, there has been more regular attendance and more dependable service with a higher degree of personal efficiency. The home life of our employees has been noticeably improved; thrift has been encouraged; better homes and more comfortable living conditions are demanded; and recreation, not only for the employee, but for the members of his family, is sought. This is particularly noticeable in the great number of automobiles purchased and used by our employees, particularly at our coal mining camps, which are generally isolated communities. It is significant that this company finds it difficult to built garages for employees' automobiles as rapidly as they are demanded. Wives and children of employees are, I am sure, better clothed, and more attention is paid to the welfare of the children and to their education."

Replies to questionnaires on the subject of agriculture show that the general cessation of distilling and brewing has not caused a decrease in the acreage of land cultivated, that under Prohibition the efficiency of the workers has increased appreciably, and that their domestic and social conditions have improved.

One out of many testimonies may be quoted. The writer is an employer of several hundred people in farm labour. "Before National Prohibition came into effect I seriously considered that it was impossible to continue my development of agricultural operations on a large scale. It certainly was very unprofitable, there was so much waste of time and money caused by a large percentage of drunkenness among those with whom I had to deal. I think this trouble has been reduced fully 95 per cent., and where formerly many of my men were uncertain and unreliable, I now have less than 1 per cent. of such trouble. My labourers and tenants are far more industrious, better satisfied, and more prosperous generally, as well as better fed, better clothed, and better housed."

## Banks, Saving Banks and Insurance.

As in the matter of efficiency, so in the matter of finance, it is impossible to estimate accurately and to state dogmatically to what extent Bank Accounts, Savings Deposits and Life Insurance have been affected by Prohibition. A careful scrutiny of the reports and the testimony of bankers and insurance officials, leads to the conclusion that in their view it has had a very considerable effect. The President of the National Bank of Auburn, New York, for example, has written that "notwithstanding a large amount of unemployment in that city, the bank deposits have not suffered, and the savings deposits have steadily increased"; and the President of the Eighth National Bank, Philadelphia, has declared that last year the savings deposits were the largest in the history of the bank.

The following figures show the increase there has been in savings bank deposits in the city of New York from 1st January 1920 to 1st January of this year:—

	Number of Depositors.	Amount due to Depositors, in dollars.
1920	2,451,088	1,624,213,553
1921	2,590,169	1,832,804,002
1922	2,632,315	1,984,425,133
1923	2,724,834	2,144,908,089

The average annual amount due to each depositor increased thus:—

In 1920—662 dollars.
„ 1921—707 „
„ 1922—753 „
„ 1923—787 „

Business to the extent of 1,311,000,000 dollars was done by the Prudential Life Insurance Company of America in 1922, an increase of 171,200,000 dollars over 1921, and the outstanding insurance of the Equitable Life Assurance Society exceeded 3,000,000,000 at 31st December 1922, which represents an increase of 495,000,000 dollars over 1921.

The chief actuary of one of the largest Insurance Companies in New York reports:—

“Since Prohibition, the mortality of the Company has greatly improved. It is much lower than anything in our experience, and is, in fact, much lower than anyone would have dared to prophesy. To what extent this is due to Prohibition is not known.”

### **Amusements.**

In regard to amusements, it is generally stated that the standard of theatres and moving picture houses has been considerably raised. New York agencies assert that before Prohibition the entrance fee at the best theatres was 1 dollar 25 cents to 1 dollar 50 cents, and that now they receive readily from 2 dollars 25 cents to 3 dollars 50 cents. The entrance fee for moving picture houses has gone up from 10 cents to 1 dollar. Recreation parks and athletic amusement parks are more largely frequented, and the greatly increased ownership of the automobile has added much to individual and family pleasure. The almost total absence of drunkenness in vast gatherings of people has meant an enhanced enjoyment by all.

### **Arrests for Drunkenness.**

In any investigations into the number of convictions for crime, all contributory factors must be carefully considered. Intemperance is certainly one factor, and the comparatively large restraint of it through the enforcement of the prohibitory laws has undoubtedly lessened the number of convictions. At the same time enforcement has considerably increased the number of a certain class of convictions—convictions for violating the liquor laws. The Commissioners have had the opportunity of examining many statistical reports, have heard the views of the criminal authorities in the cities, towns and districts visited, and are of the opinion that Prohibition has had a decided influence in the reduction of crime.



## I.—ARRESTS FOR INTOXICATION IN NEW YORK CITY.

*As Reported by the New York Police Department.*

1910 . . . . .	22,505
1911 . . . . .	21,994
1912 . . . . .	20,640
1913 . . . . .	21,727
1914 . . . . .	20,869
1915 . . . . .	20,197
1916 . . . . .	20,194
1917 . . . . .	13,844
1918 . . . . .	7,090
1919 . . . . .	5,562
1920 . . . . .	5,936
1921 . . . . .	6,237
1922 . . . . .	8,578
Average 1910-18 . . . . .	18,373
„ 1920-22 . . . . .	6,917
Decrease . . . . .	62.3 per cent.

*P.S.*—Although there has been an increase in arrests for intoxication during the last two years, it should be noted that the arrests in 1922 were only 38 per cent. of those made in 1910, while the population has increased by 1,417,053.

## II.—OFFICIAL FIGURES FROM MASSACHUSETTS.

*Arrests for Drunkenness.*

	Cities and Towns.		Total.
	Males.	Females.	
1914	100,962	7,223	108,185
1915	98,095	7,451	106,146
1916	108,649	8,006	116,655
1917	121,248	8,207	129,455
1918	87,016	5,822	92,838
1919	74,428	4,784	79,212
1920	35,292	1,868	37,160
1921	56,951	2,634	59,585
1922	72,568	3,087	75,655

*P.S.*—Under Prohibition, any person who is seen intoxicated in public is self-convicted as a law-breaker and is put under arrest. Under the licence system, a wide discretion

was exercised in the matter of making arrests for drunkenness.

The Commissioner of Correction for the State says:—  
 “In examining these figures it must be clearly borne in mind that a large part of the decrease in arrests and commitments came before the adoption of Prohibition, and was probably the direct result of good business, increased use of the probation system, and the actual participation of three-quarters of a million men in the Great War.

“The general effect of Prohibition on the economic life of our people has been to reduce crime, insanity and poverty, and on the social and moral life of our people it has been noticeably uplifting.

“I should say that the Prohibition law was being enforced with about as much success as the laws on the Statute Books prohibiting gaming and the social evil. If the number of arrests for illegal selling are compared with the number of arrests for the commission of definite crimes, such as murder, robbery, larceny, assault, etc., it would appear that the Prohibition Act is not enforced with as much severity as in these cases. I think it is fair to say, however, that the Prohibition law is being enforced with as much severity as was expected, or as is advisable at the present time.”

### III.—SALT LAKE CITY.

#### *Comparative Report of Salt Lake City and some of the State's principal Institutions outside of Salt Lake City.*

##### *(a) Arrests for all offences, Salt Lake City.*

Average two wet years, 1915-1916	. . .	8632
Average five dry years, 1918-1922	. . .	5614
Decrease (per cent.)	. . . . .	35 per cent.

##### *(b) Arrests for Drunkenness (Men).*

Average two wet years, 1915-1916	. . .	3040
Average five dry years, 1918-1922	. . .	553
Decrease (per cent.)	. . . . .	80 per cent.

##### *(c) Arrests for Drunkenness (Women).*

Average two wet years, 1915-1916	. . .	124
Average five dry years, 1918-1922	. . .	45
Decrease (per cent.)	. . . . .	63 per cent.

# CANADA.

*Convictions for Drunkenness for the years 1913-1922 inclusive.*

Province.	1913	1914	1915	1916	1917	1918	1919	1920	1921	1922
	No. of	No. of	No. of	No. of	No. of	No. of	No. of	No. of	No. of	No. of
Prince Edward Island . . .	324	342	231	219	207	96	116	120	144	162
Nova Scotia . . .	3,955	3,999	3,436	3,614	2,546	2,435	2,879	3,140	2,156	1,492
New Brunswick . . .	2,073	1,705	1,694	1,696	1,516	704	1,350	1,882	1,264	1,088
Quebec . . .	12,265	12,776	8,939	7,108	8,025	6,680	7,116	11,863	9,944	7,103
Ontario . . .	16,236	17,703	12,553	11,728	10,945	7,932	8,498	15,021	14,498	10,063
Manitoba . . .	7,493	6,193	4,154	3,114	1,085	1,123	1,570	2,330	1,429	1,623
Saskatchewan . . .	2,970	2,142	1,332	1,062	770	434	618	919	708	816
Alberta . . .	7,283	5,710	2,802	1,809	391	825	1,057	1,536	1,838	1,608
British Columbia . . .	8,316	9,376	5,960	2,327	2,372	778	1,004	2,948	2,379	1,081
Yukon . . .	60	61	60	53	25	19	9	10	2	12
North-West Territories . . .	...	...	...	...	...	...	...	...	...	...
Canada . . .	60,975	60,067	41,161	32,730	27,882	21,026	24,217	39,769	34,362	25,048

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